

### REMARKS

Reconsideration of this application is respectfully requested.

Please note the accompanying Terminal Disclaimer.

The claims of this application are closely related to claims of applicant's issued U.S. Patent No. 6,679,894.

More specifically, application Claims 1, 6, 9, and 12 correspond to patent Claims 1, 12, 14, and 16, respectively, except that each of the application claims specifies that the pusher member is moveable "lengthwise" distally of the inner shaft for sliding a clip within the cavity of the inner shaft, and each of the application claims specifies that the inner and outer shafts are constructed and arranged to allow rotational movement of the inner shaft relative to the outer shaft for positioning of a clip received within the inner shaft.

Application Claims 19, 22, 24, and 26 correspond to patent Claims 1, 12, 14, and 16, except that the application claims include the "lengthwise" term concerning the pusher member means for indicating the position of the clip lengthwise within the inner shaft."

Each of the other claims remaining in the application is directly or indirectly on one of the independent claims and should be allowable along with its parent claim or claims.

If there are questions concerning the application, such as the correspondence between claims presented herein and claims of applicant's patent, it is respectfully requested that the Examiner telephone the undersigned.

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It is believed that upon reconsideration, the application will be found to be in condition for allowance.

Respectfully submitted,

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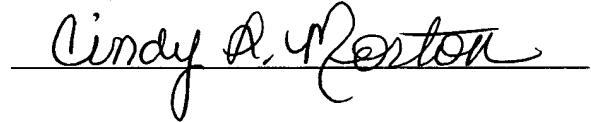


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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: June 29, 2005



WB:pww

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